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Express Mail Label Number EV 274366018 US

Date of Deposit: December 17, 2003

PATENT  
Docket No. H 4299 PCT/US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of  
Naumann, et al.

International Application No.: PCT/EP00/08774  
International Filing Date: September 8, 2000

Serial No.: 10/088,062 Examiner: To be assigned  
Filed: To be assigned Art Unit: To be assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Sir:

In response to the NOTIFICATION OF DEFECTIVE RESPONSE dated December 9, 2003, Applicants reply by stating that **THIS APPLICATION DOES NOT REQUIRE A SEQUENCE LISTING**. The diskette submitted initially on March 13, 2002 and then resubmitted on August 15, 2002 is **NOT** a sequence listing. Rather, the diskettes submitted are Document AV of Applicants' form PTO-1449 which is entitled "EU Inventory of Cosmetic Ingredients".

**THERE IS NO SEQUENCE LISTING REQUIRED FOR THIS APPLICATION.**  
Therefore, the Notification of Defective Response is not appropriate.

For the convenience of the U.S. Patent and Trademark Office, Applicants submit herewith another diskette and the instructions on how to open the documents contained on the diskette. Please take note that this diskette is not a sequence listing because,




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Response dated December 17, 2003  
Notification of Defective Response dated December 9, 2003

again, none is required for this application. This diskette contains the "EU Inventory of Cosmetic Ingredients" as described in Applicants' Information Disclosure Statement.

If there is continued confusion by the PTO about this matter it is respectfully requested that the undersigned be contacted.

Should any fees be due for responding to the Notification of Defective Response, the Commissioner is authorized to charge them to Deposit Account No. 01-1250.

Respectfully Submitted,



Gregory M. Hill  
Reg. No. 31,369  
Attorney for Applicants  
610-278-4964

Enclosure

Henkel Corporation  
Law Department  
2200 Renaissance Boulevard, Suite 200  
Gulph Mills, PA 19406

GMH/img



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.

10/088,062

FIRST NAMED APPLICANT

Frank Naumann

ATTY. DOCKET NO.

H 4299 PCT/US

INTERNATIONAL APPLICATION NO.

PCT/EP00/08774

I.A. FILING DATE

PRIORITY DATE

09/08/2000

Kimberly R Hild  
 Henkel Corporation Law Dept  
 2500 Renaissance Blvd  
 Suite 200  
 Gulph Mills, PA 19406

CONFIRMATION NO. 8519

371 FORMALITIES LETTER



\*OC000000011430518\*

Date Mailed: 12/09/2003

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Copy of the International Application filed on 03/13/2002
- Copy of the International Search Report filed on 03/13/2002
- Copy of IPE Report filed on 03/13/2002
- Preliminary Amendments filed on 03/13/2002
- Information Disclosure Statements filed on 03/13/2002
- Biochemical Sequence Diskette filed on 03/13/2002
- Oath or Declaration filed on 08/15/2002
- Biochemical Sequence Listing filed on 03/13/2002
- Copy of references cited in ISR filed on 03/13/2002
- U.S. Basic National Fees filed on 03/13/2002
- Priority Documents filed on 08/15/2002

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HENKEL LAW DEPT.

Applicant's response filed 08/15/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/12/2002 have not been completed.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of Annex C of the Administrative Instructions and 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

• For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 305-3695

**PART 1 - ATTORNEY/APPLICANT COPY**

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